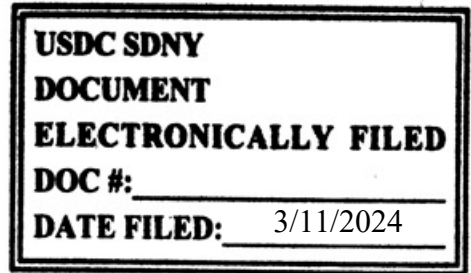


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



RONALD BERRY,

Plaintiff,

-v-

CITY OF NEW YORK, et al.,

Defendants.

22-CV-05969 (MMG)

**ORDER**

MARGARET M. GARNETT, District Judge:

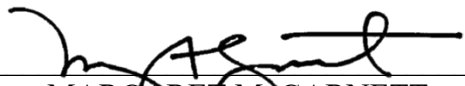
Pursuant to this Court's Order dated March 8, 2024, *see* Dkt. No 82, Defendants New York City Transit Authority (the "Transit Authority") and Michael Herer (together, the "Transit Authority Defendants") and Plaintiff Ronald Berry ("Plaintiff") filed letters identifying the remaining (and anticipated) parties and claims in this action. *See* Dkt. Nos. 83, 84. The Court has reviewed the parties' submissions, and accordingly the following is HEREBY ORDERED:

1. If Plaintiff wishes to file an amended Complaint to add a retaliation claim and/or to amend his Answer to the Transit Authority's Counterclaims, as discussed in his letter, Dkt. No. 84, he must move for leave to amend **no later than March 18, 2024**;
2. If by that date Plaintiff does not move for leave to amend, the Transit Authority must, **no later than March 22, 2024**, submit a letter not to exceed three pages outlining the legal justification for this Court retaining jurisdiction over its Counterclaims against Plaintiff when no cause of action against the Transit Authority remains;
3. The deadline for Plaintiff's deposition is hereby extended to **March 29, 2024**;
4. The deadline for the close of fact discovery is hereby extended to **April 5, 2024**; and
5. The post-fact discovery conference remains scheduled for **May 2, 2024 at 2:00 p.m.**, and will be held in person in Courtroom 906 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York 10007.

**If the parties believe the assistance of the designated Magistrate Judge or the S.D.N.Y. Mediation Program would be helpful in settling the remaining issues in this case, they should so inform the Court promptly by joint letter.**

SO ORDERED.

Dated: March 11, 2024  
New York, New York

  
MARGARET M. GARNETT  
United States District Judge